

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. 2:23-cr-00100-LK

Plaintiff,

ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL  
DATE AND PRETRIAL MOTIONS  
DEADLINE

## JEFFREY JOSEPH BRANHAM.

Defendant.

This matter comes before the Court on the Defendant Jeffrey Joseph Branham's Joint Motion to Continue Trial Date and To Extend Date for Filing Pretrial Motions. Dkt. No. 42.<sup>1</sup> Mr. Branham moves to continue the trial date from November 12, 2024 to February 18, 2025, and to continue the pretrial motions deadline from September 30, 2024 to January 7, 2025. *Id.* at 1.

On June 14, 2023, a federal grand jury indicted Mr. Branham with one count of Distribution of a Controlled Substance in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C); two counts of Possession of a Controlled Substance with Intent to Distribute in violation of 21 U.S.C. § 841(a)(1)

<sup>1</sup> Although Mr. Branham has captioned his motion as “joint,” the Government has not signed it. *Id.* at 1–2. The Court thus treats the motion as unopposed.

1 and (b)(1)(C); and one count of Carrying a Firearm During and in Relation to a Drug Trafficking  
 2 Crime in violation of 18 U.S.C. § 924(c)(1)(A)(i). Dkt. No. 1 at 1–2. He pleaded not guilty to all  
 3 counts and was subsequently ordered detained following a hearing before United States Magistrate  
 4 Judge Michelle Peterson. Dkt. Nos. 12, 16. Trial was scheduled for November 20, 2023, Dkt. No.  
 5 12, but the Court has continued trial twice based on Mr. Branham’s motions for continuances, Dkt.  
 6 Nos. 25, 28, 30, 33.

7 Counsel for Mr. Branham represents that he “has been advised by the government that  
 8 further discovery, specifically reports from experts regarding possible controlled substance  
 9 analogues allegedly possessed by the defendant, will be forthcoming.” Dkt. No. 42 at 1. Counsel  
 10 anticipates that he will “need additional time to review the reports, to prepare pretrial motions if  
 11 applicable, to seek possible expert witnesses, and to prepare for trial.” *Id.* at 2. Mr. Branham has  
 12 filed a speedy trial waiver waiving his right to a speedy trial through March 4, 2025. Dkt. No. 44  
 13 at 1.

14 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by  
 15 granting a continuance of trial outweigh the best interest of the public and Mr. Branham in any  
 16 speedier trial. Specifically, the Court finds that failure to grant the requested continuance would  
 17 likely result in a miscarriage of justice and would deny defense counsel the reasonable time  
 18 necessary for effective preparation, taking into account the exercise of due diligence, due to  
 19 counsel’s need for more time to review the evidence, consider possible defenses, seek potential  
 20 expert witnesses, and gather evidence material to the defense. *See* 18 U.S.C. § 3161(h)(7)(B)(i),  
 21 (iv). The Court finds that the additional time requested is a reasonable period of delay and will be  
 22 necessary to provide counsel and Mr. Branham reasonable time to accomplish the above tasks.

23 For these reasons, the Court GRANTS Mr. Branham’s motion, Dkt. No. 42, and ORDERS  
 24 that the trial date for Mr. Branham shall be continued from November 12, 2024 to February 18,

1 2025, and the pretrial motions deadline shall be continued from September 30, 2024 to January 7,  
2 2025. It is further ORDERED that, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of  
3 delay from the date of this Order to the new trial date is EXCLUDED when computing the time  
4 within which Mr. Branham's trial must commence under the Speedy Trial Act.

5 Dated this 24th day of September, 2024.

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Lauren King  
United States District Judge